

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

3 November 1999

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Carolyn S. Allen, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Keith A. Holliday, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Donald R. Vaughan and Nancy Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Stefan-Leigh Kuns, employee in the Housing and Community Development Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting. She advised closed captioning would not be provided for this meeting.

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The City Manager recognized City employees who had served as volunteers during the recent annual meeting of the North Carolina League of Municipalities held in Greensboro. He commended Jacky Dowd, Internal Audit Division, for her role as liaison with the League in organizing this event and supervising volunteers; he also expressed appreciation to other employees for their excellent work throughout the meeting.

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Mayor Allen stated that this was the time and place set for a public hearing to consider an ordinance annexing 31.18 acres (satellite annexation) to the corporate limits of property located west of Battleground Avenue on the north side of Horse Pen Creek Road. She thereupon introduced so that these matters could be discussed together, an ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning RS-20 Residential Single Family for property located on the north side of Horse Pen Creek Road between Laurel Run Drive and Carlson Dairy Road. The Mayor advised these ordinances were continued from the 21 September 1999 meeting of Council. Mayor Allen asked if anyone wished to be heard.

C. Thomas Martin, Planning Department Director, used a map to illustrate the property proposed for annexation and zoning, spoke to the transition and other development in this area, and noted the property would be eligible for water when the Reidsville line was in use. Mr. Martin stated that the Planning Board had supported the annexation, the Zoning Commission had voted to recommend the original zoning, and the Planning Department staff supported both ordinances.

Charles Melvin, attorney with offices at 300 North Greene Street and representing Horse Pen Creek Development Company, spoke in favor of the proposed annexation and development. He stated that this property in Tier 4 of the watershed would be developed in compliance with city ordinances and watershed requirements, was the most appropriate zoning pattern for this property, and the RS-20 zoning was a logical extension of the zoning pattern on adjacent property and would provide more flexibility of open areas. Mr. Melvin explained that the RS-40

zoning classification, which was placed in nearby developments that required wells and septic tanks, was not necessary for this development because water and sewer service was available. He requested that the property not be annexed into the City if the requested zoning classification was not approved.

Mike Meeker, residing at 4000 Brass Cannon Court; Bob and Mary Plybon, residing at 5116 Hedrick Drive; Paul Krauss, residing at 4001 Katie Drive; and James Nagel, residing at 5207 Hedrick Drive; spoke in opposition to the annexation and zoning of this property; they stated they believed this development would contribute to uncontrolled growth in the area. The speakers expressed concern with the negative impact the higher density development would have on the watershed area, reiterated that development in the area had increased street accesses and traffic on the already-overburdened roadway system, stated this rezoning would set a precedent for future requests for high density development, and noted that this development would increase the burden on available water and sewer resources.

Council discussed with staff various opinions and concerns with respect to the requested zoning; i.e., the higher density that would be permitted, the negative impact on area traffic and existing traffic concerns, the adequacy of water and sewer for this project, the topography of the property and any potential for sewer line flow problems, the maintenance/improvement of this roadway by the State of North Carolina, and long range plans for the area. In response to Council's inquiry, Mr. Martin reiterated that this development, proposed at two units per acre, was conservative and in compliance with watershed development requirements.

The City Attorney cautioned that Council should not negotiate on zoning matters.

Mr. Martin presented the following staff recommendation:

Item 8 – Horse Pen Creek Road

The Planning Department recommends that this request be approved. Laurel Run Subdivision to the east is zoned CU-RS-20. Staff feels that RS-20 is a reasonable zoning classification for this property since it is in Tier 4 of the Watershed Critical Area and, with sewer, two dwelling units per acre would be the maximum allowable density. That density is compatible with a 20,000 square foot minimum lot size.

Councilmember Carmany moved adoption of the ordinance annexing 31.18 acres (satellite annexation) to the corporate limits of property located west of Battleground Avenue on the north side of Horse Pen Creek Road. The motion was seconded by Councilmember Holliday; the ordinance was DEFEATED on the following roll call vote: Ayes: Jones. Noes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Mincello, Perkins and Vaughan.

Because the ordinance annexing the property was DEFEATED, no action with respect to the ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning RS-20 Residential Single Family for property located on the north side of Horse Pen Creek Road between Laurel Run Drive and Carlson Dairy Road was required.

(A copy of the ordinance as introduced and DEFEATED is filed in Exhibit Drawer M, Exhibit Number 24, which is hereby referred to and made a part of these minutes.)

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family and Conditional Use-General Office Moderate Intensity to Conditional Use-Limited Business with specific conditions for property located on the east side of North Elm Street between Pisgah Church Road and Kenneth Road; she noted this matter was being reconsidered pursuant to motion adopted by Council at the 6 October 1999 meeting of Council.

Councilmember Perkins moved that the public hearing for this zoning be re-opened. The motion was seconded by Councilmember Vaughan and adopted on an 8-1 voice vote of the City Council. Mayor Allen administered the oath to those individuals who wished to speak to this rezoning.

Mr. Martin provided the following staff presentation:

REQUEST

This request is to rezone property from RS-12 Residential Single Family and Conditional Use – General Office Moderate Intensity to Conditional Use – Limited Business.

The RS-12 District is primarily intended to accommodate single family detached dwellings at a density of 3.0 units per acre or less.

The General Office Moderate Intensity District is primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at a density of 12.0 units per acre or less, and supporting service uses.

The Limited Business District is primarily intended to accommodate moderate intensity shopping and services close to residential areas.

The portion of the request which involves the existing Conditional Use – General Office Moderate Intensity District contains the conditions listed on the agenda and in the copy of the staff report.

- 1) All uses under the following subsections: Educational and Institutional; Recreational; Business, Professional and Personal Services; and Optical Goods Sales.
- 2) There shall be a maximum of 3 curb cuts for the subject property.
- 3) Buildings limited to 2 stories in height.
- 4) Freestanding signs shall be landscaped monument signs, a maximum of 8 feet high.
- 5) The landscape buffer on the eastern side of the subject property shall be double the planting rate provided in the Development Ordinance.
- 6) The street planting yard will be a minimum of 15 feet wide.
- 7) Any waste disposal units (i.e. dumpsters) will be screened.
- 8) All outside lighting shall be directed toward the interior of the subject property.
- 9) Petitioner shall include in each Deed of Conveyance of the subject property a restrictive covenant, which he shall not thereafter release and which will run with the land to the effect that any part of the subject property shall be used only for offices and parking in connection therewith and for no other purposes.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) All uses under the LB District except the following which shall not be permitted: Agricultural Products, Forestry, Emergency Shelter, Caretaker Dwelling, Junked Motor Vehicle storage, Recycling Points, Swimming Pools, Athletic Fields, Bingo Games, Coin Operated Amusements, Fortune Teller, Cemetery/Mausoleum, Convenience Store (with and without pumps), Service Station, Coin Laundry, Utility Substation, Used Merchandise Stores, Wireless Communication Tower, Christmas Tree Sales, Billiard Parlor, Miniature Golf Course, Temporary Shelters, Minor Land Clearing and Inert Debris Landfills.
- 2) Maximum of 2 curb cuts (1 per lot) on east side of North Elm Street.
- 3) Buildings shall be all brick exterior (except for wood trim) and shall be limited to 2 stories in height.
- 4) Freestanding signs shall be landscaped monument signs, a maximum of 8 feet high.
- 5) The landscape buffer on the eastern side of the subject property shall be double the planting rate provided in the Development Ordinance.
- 6) The street planting yard will be a minimum of 15 feet wide.
- 7) Any waste disposal units (i.e. dumpsters) will be screened.
- 8) All outside lighting shall be directed toward the interior of the subject property.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 2.3 acres and is located on the east side of North Elm Street between Pisgah Church Road and Kenneth Road.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	RS-12	Vacant, graded land
	CU-GO-M	Vacant, graded land
North	CU-GO-M	Vacant, graded land
East	RS-40	Three single family dwellings
South	CU-LB	Gasoline service station – convenience store under construction
West	RS-12	North Elm Street
	RS-40 (Co)	Vacant land

Mr. Martin stated that the Planning Department recommended denial of the request, the Zoning Commission had voted to recommend approval of the rezoning, City Council had voted 5-3-1 to deny the request on 9 September 1999, and Council had voted 8-1 to reconsider the request at the regular meeting of 6 October 1999. He thereupon presented slides of the property and surrounding area.

Mayor Allen asked if anyone wished to be heard.

Mark Isaacson, attorney with offices at 101 West Friendly Avenue representing the buyer of the property, spoke in favor of the rezoning and provided a brief history of rezoning requests for the property. He thereupon requested Council to amend, as follows, the conditions contained in the rezoning request to address concerns from Council and the area residents expressed when this matter was considered at the last meeting: Remove existing condition #3 and add “Buildings shall be all brick or stone exterior (except wood trim and glass) and shall be limited to two (2) stories in height”; and add condition #9 “No more than fifty percent (50%) of the maximum buildable area on the subject property shall be used for retail uses.” Councilmember Vaughan moved that the conditions contained in the proposed ordinance be revised as requested by Mr. Isaacson. The motion was seconded by Councilmember Perkins and adopted unanimously by voice vote of Council.

Mr. Isaacson reviewed information about the property, surrounding area, existing zoning patterns and proposed development; spoke to the impact the urban loop interchange would have on the area; stated the conditions contained in the proposed ordinance addressed all reasonable concerns; emphasized that this was a good transitional use and stated this request represented a reasonable, quality plan for development. Mr. Isaacson stated the adjacent property owners supported the rezoning and advised a number of citizens were present in the Chamber to support the rezoning.

Nat Hayes, residing at 111 Elmwood Terrace, spoke in support of the rezoning. He stated that this was a good transitional use for the property and spoke to the proposed use of property in the area for dental offices.

The City Attorney instructed Council to consider only sworn testimony in making a decision about this rezoning request; she stated Council should disregard hearsay and consider for illustrative purposes only any discussion about uses that were not contained in the conditions that were not a part of the ordinance.

Terry Snow, an engineer with offices at 2302 West Meadowview Road, spoke to the preparation of a traffic impact study for the proposed project; advised that he had worked with the City staff to address transportation issues; noted that this small development would generate a minor traffic increase; stated that shared access was planned with adjacent property owners to minimize the impact on the roadway system; and advised the area roadway system operated at an adequate level of service.

Cameron M. Ross, residing at 2 Hatteras Court and a builder and resident in the Lake Jeanette Area, spoke in favor of the rezoning. He stated that this proposal was the highest and best use of the property, and the impact of this development was insignificant when compared to the impact Painter Boulevard would have on the area.

Eddie Greene, residing at 11 Elm Grove Way, spoke in favor of the rezoning and businesses that might be located in the area. He presented to Council copies of a petition purportedly signed by area residents in favor of the rezoning.

David F. Couch, residing at 5225 West Wendover Avenue, spoke to the location and condition of the property proposed for rezoning, reviewed the challenge and proactive efforts of the developer to determine an appropriate land use for this property, and noted revisions had been made to the ordinance to address the concerns of Council and the surrounding neighborhood.

Penny Prigge, residing at 5 Cape May Point, spoke in opposition to the rezoning. She expressed concern that this matter could be reconsidered after being defeated by earlier Council action, stated the continued re-hearings of this matter created a hardship for citizens who opposed the rezoning, spoke to the need for a plan for area development, stated that she opposed commercial creep and overdevelopment in the area, advised that existing businesses in the area adequately fulfilled the needs of the community, and stated that this rezoning would set a precedent for future rezoning requests.

Mr. Martin provided the following staff recommendation:

This zoning matter had been considered by Council 2-3 times and that the Planning Department had consistently recommended the request be denied. This request is inconsistent with the Pisgah Church Road/Lees Chapel Road corridor plan which calls for no further extension of commercial zoning northward along North Elm Street. The southern lot of this current proposal was requested for CU-GB with use limited to a tire store. That request was denied by City Council in January of this year. When staff recommended denial of that previous request, it was pointed out that this southern lot should be combined with the property to the north, which was simultaneously being proposed for CU-GO-M, and developed under the office zoning classification which would be compatible with the corridor plan. Also, as staff pointed out back at the beginning of this year, whole areas do not become commercial overnight; areas get rezoned one lot or tract at a time. Staff feels that this request is, in many ways, worse than the tire store proposal because now an additional lot is being proposed for commercial, which is again contrary to the plan for this area. In the recent past, there have been several zoning changes on both sides of North Elm Street for CU-GO-M and that is the classification that staff feels should be the final zoning classification, one that would be compatible with the corridor plan. Aside from that, there is the issue of the number of curb cuts. Staff feels there should only be one curb cut for both tracts which will make it more consistent with driveway spacings along the remainder of the corridor to the north.

Brief discussion was held with regard to the process used by Council to reconsider a zoning matter that had been defeated, whether sufficient new or correct information had been presented to justify a reconsideration of this zoning matter, and whether reconsidering this matter could set a precedent for future requests for Council to reconsider defeated zoning items. Opinions and concerns were discussed regarding corridor study recommendations for this area, the impact Painter Boulevard would have on this area, the difficulty in placing a quality development on property adjacent to a gas station, and the desire to deter strip zoning on Elm Street. Council also discussed permitted uses under the existing zoning, other businesses located in the area, and the belief that the proposed development would represent a good quality transitional use.

Councilmember Perkins thereupon moved that the ordinance, as amended, rezoning this property to Conditional Use – Limited Business be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed zoning classification.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because the property will serve as a good transition between the intense zoning of the gas station and the currently-zoned office and institutional property.

- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because this property has conditions on it that provide for high quality development and creates a good transition along this section of North Elm Street.

The motion was seconded by Councilmember Jones; the motion to approve the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Johnson, Jones, Perkins, and D. Vaughan. Noes: Carmany, Holliday and N. Vaughan.

99-194 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

EAST SIDE OF NORTH ELM STREET BETWEEN PISGAH CHURCH ROAD AND KENNETH ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-12 Residential Single Family and Conditional Use – General Office Moderate Intensity to Conditional Use – Limited Business (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point, said point being in the eastern right-of-way line of North Elm Street, said point also being the northwestern corner of the property of Kyle Harris as recorded in Plat Book 117, Page 125 in the Office of the Guilford County Register of Deeds; thence along said eastern right-of-way line of North Elm Street N04°17'02"E 370.13 feet to a point; thence leaving said right-of-way line S84°32'14"E 273.84 feet to a point; thence S04°10'46"W 364.01 feet to a point; thence N85°49'19"W 274.47 feet to the point and place of BEGINNING, containing approximately 2.31 acres.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) All uses under the LB District except the following which shall not be permitted: Agricultural Products, Forestry, Emergency Shelter, Caretaker Dwelling, Junked Motor Vehicle storage, Recycling Points, Swimming Pools, Athletic Fields, Bingo Games, Coin Operated Amusements, Fortune Teller, Cemetery/Mausoleum, Convenience Store (with and without pumps), Service Station, Coin Laundry, Utility Substation, Used Merchandise Stores, Wireless Communication Tower, Christmas Tree Sales, Billiard Parlor, Miniature Golf Course, Temporary Shelters, Minor Land Clearing and Inert Debris Landfills.
- 2) Maximum of 2 curb cuts (1 per lot) on east side of North Elm Street.
- 3) Buildings shall be all brick or stone exterior (except wood trim and glass) and shall be limited to two (2) stories in height.
- 4) Freestanding signs shall be landscaped monument signs, a maximum of 8 feet high.
- 5) The landscape buffer on the eastern side of the subject property shall be double the planting rate provided in the Development Ordinance.
- 6) The street planting yard will be a minimum of 15 feet wide.
 - 7) Any waste disposal units (i.e. dumpsters) will be screened.
 - 8) All outside lighting shall be directed toward the interior of the subject property.
 - 9) No more than fifty percent (50%) of the maximum buildable area on the subject property shall be used for retail uses.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

(Signed) Robbie Perkins

(A copy of information presented with regard to the rezoning is filed in Exhibit Drawer M, Exhibit Number 22, which is hereby referred to and made a part of these minutes.)

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Mayor Allen stated that this was the time and place set for a public hearing to consider a resolution closing Idol Court from High Point Road southward to its end, a distance of approximately 282 feet. The Mayor asked if anyone wished to speak to this matter.

There being no one present desiring to speak to this matter, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins D. Vaughan and N. Vaughan. Noes: None.

195-99 RESOLUTION CLOSING IDOL COURT – FROM HIGH POINT ROAD SOUTHWARD TO ITS END, A DISTANCE OF APPROXIMATELY 262 FEET

WHEREAS, the owners of all of the property abutting both sides of Idol Court – from High Point Road southward to its end, a distance of approximately 262 feet requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Wednesday, November 3rd, 1999, at 6:00 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned portion of street have requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

Idol Court – from High Point Road southward to its end, a distance of approximately 262 feet.

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Earl Jones

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After the Mayor introduced an ordinance amending Chapter 16 of the Greensboro Code of ordinances with respect to traffic regulations and Council briefly discussed the procedure used to notify citizens of this change, Councilmember Carmany moved its adoption. The motion was seconded by Councilmember Vaughan; the

ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, D. Vaughan and N. Vaughan. Noes: None.

99-195 AMENDING CHAPTER 16

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO TRAFFIC REGULATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 16-96 of the Greensboro Code of Ordinances is hereby amended by changing Schedule 2A (Speed Limits on State Highway System Streets) as follows:

Guilford College Road (SR 1546) from the southwestern corporate limit of Greensboro, a point 0.08 mile north of SR 1560 (Sapp Road), northward to a point 0.12 mile south of Friendswood Drive (SR 1618) be changed from 45 mph to 35 mph

Section 2. This ordinance is based upon an engineering and traffic investigation pursuant to authority granted by G.S. 20-141 (f) and (g) and shall become effective upon the adoption of a concurring ordinance by the North Carolina Board of Transportation adopting the speed limits so fixed herein and signs are erected giving notice of the authorized speed limits.

Section 3. All ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Sandy Carmany

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After Mayor Allen introduced a resolution authorizing and approving Municipal Agreement between the Department of Transportation and the City of Greensboro for New Garden Road improvements, Councilmember Johnson moved its adoption. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, D. Vaughan and N. Vaughan. Noes: None.

196-99 RESOLUTION AUTHORIZING AND APPROVING MUNICIPAL AGREEMENT BETWEEN THE DEPARTMENT OF TRANSPORTATION AND THE CITY OF GREENSBORO FOR NEW GARDEN ROAD IMPROVEMENTS

WHEREAS, the North Carolina Department of Transportation and the City of Greensboro propose to make certain improvements consisting of the widening and improvement of SR 2179 (New Garden Road) from Jefferson Road to 0.1 mile east of Strathmore Drive/Timber Oak Drive;

WHEREAS, said Department of Transportation and the City of Greensboro propose to enter into an Agreement for construction of the aforementioned improvements whereby the City of Greensboro agrees to prepare the project plans, acquire any necessary right of way, adjust all utilities, award the construction contract and supervise project construction;

WHEREAS, the Agreement further provides for the Department of Transportation to reimburse the City of Greensboro up to a maximum amount of \$150,000.00 for the actual contract construction costs of the project;

WHEREAS, it is deemed in the best interest of the City to enter said Municipal Agreement with the Department of Transportation in accordance with the terms and conditions therein and such Agreement is presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a Municipal Agreement with the Department of Transportation is hereby approved pursuant to the authority of N.C.G.S. §160A-274 and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

(Signed) Yvonne J. Johnson

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The Mayor introduced a resolution requesting a re-study of the Green Valley Flood Plain for North Buffalo Creek by the U. S. Army Corps of Engineers.

Steve Kennedy, Director of the Engineering and Inspections Department, used a map to illustrate the area being discussed and explained that residents in the 100 and 200 blocks of Green Valley Road had learned that recent National Flood Insurance Program map revisions now show their properties, which were previously not shown to be in a floodplain, were now in the 100 year floodplain as determined by FEMA.

Questioning what he perceived to be the City's premature offer to participate in financing the re-study; Councilmember Perkins suggested that the Mayor's letter requesting the Green Valley Floodplain re-study should not refer to financial participation by the City. Council expressed no opposition to the suggestion.

Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Holliday; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, D. Vaughan and N. Vaughan. Noes: None.

197-99 RESOLUTION REQUESTING A RE-STUDY OF THE GREEN VALLEY FLOOD PLAIN FOR NORTH BUFFALO CREEK BY THE U.S. ARMY CORPS OF ENGINEERS

WHEREAS, a 1988 study by the Army Corps of Engineers placed homes in the 100 and 200 block of Green Valley Road in the 100 year floodplain which were not previously included in the floodplain in a 1974 study;

WHEREAS, on October 19, 1999, a meeting was held between the residents and representatives from the Corps of Engineers to discuss the change in status of their homes;

WHEREAS, at the October 19th meeting the Corps of Engineers explained that the portion of North Buffalo Creek affecting this group of homes was showing flood elevations of 5 feet or more than the elevations in the 1974 study, and, at that time, agreed to restudy this area if a formal request was made by the City Council;

WHEREAS, it is in the best interest of the residents that City Council request a restudy of the appropriate reach of North Buffalo Creek by the Army Corps of Engineers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the request for a restudy of the Green Valley Floodplain as indicated in the attached memo to the Army Corps of Engineers is hereby approved.

(Signed) Claudette Burroughs-White

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Councilmember Johnson moved that the minutes of regular meeting of 19 October 1999 be approved as written. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

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Mary E. Black, residing at 409 Burtner Street in the Arlington Park Neighborhood, requested that the slowing of the development of the Village at Arlington Park be placed on a briefing to permit a thorough discussion of neighborhood concerns. Mayor Allen advised that a meeting with neighborhood representatives was scheduled for November 8 to discuss this matter. Council briefly discussed the frustrations of the neighborhood, requested information from the Mayor's meeting be shared with Council, and agreed that a briefing on November 23 might be beneficial.

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Councilmember Burroughs-White requested that the Manager and Police Chief respond as soon as possible to concerns expressed by the community around North Carolina A&T State University. Councilmembers Burroughs-White and Johnson requested a report of the findings.

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Councilmember Carmany moved that Julie Davenport be appointed to fill unexpired portion of term of Charles Young (resigned), as the College Hill Historic District representative on the Historic Preservation Commission; this term will expire 15 August 01. The motion was seconded by Councilmember Holliday and adopted unanimously by voice vote of the Council.

Councilmember Carmany added the following names to the boards and commissions data bank for consideration of service on the respective board/commission: Dyan Arkin, Human Relations Commission; and Caroline H. Bratton, Commission on the Status of Women.

Councilmember Carmany spoke to the need for Council to fill vacancies on the Zoning Commission; she encouraged members of the Zoning Commission to attend the November meeting at which a number of important items were scheduled for consideration. Councilmember Holliday urged the Zoning Department staff to contact these members to urge their attendance at the upcoming meeting.

Councilmember Carmany spoke to the Solid Waste Management Division's proactive educational campaign undertaken to inform the College Hill neighborhood about service in that area.

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Councilmembers Holliday and Johnson expressed concern about Police Officer Michael V. Francis who was injured in the line of duty; Council extended best wishes for his recovery.

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Speaking to the confusion regarding Colt baseball vs. AAU and the use of fields, Councilmember Vaughan requested that this matter be placed on the November 23 Council Briefing for discussion. The Manager advised the Parks and Recreation Department Director would take this matter to the Parks and Recreation Commission prior to the briefing.

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Councilmember Johnson spoke to complaints regarding SCAT service for young citizens with special needs which had reportedly caused these riders to arrive late at work or in some instances, lose their jobs. She requested an update regarding improvements that could be made to address these concerns.

Councilmember Johnson moved that Ricky Majette be appointed to serve unexpired portion of term of Mary Peek (resigned), on the Zoning Commission; this term will expire 15 August 00. The motion was seconded by Councilmember Holliday and adopted unanimously by voice vote of the Council.

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Councilmember Jones spoke the recent tenth anniversary celebration of Neighborhood Police Resource Centers held at Smith Homes and his receipt of an award for his assistance in 1988-89 in establishing these centers.

Councilmember Jones moved that Councilmember Yvonne J. Johnson be re-appointed to serve a three-year term on the Tourism Development Authority; this term will expire 30 September 02. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Jones moved that Thomas M. Phillips be re-appointed to serve a three-year term on the Piedmont Triad Regional Water Authority; this term will expire 30 September 02. The motion was seconded by Councilmember Perkins and adopted unanimously by voice vote of Council.

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Members of Council and the City Manager extended to the Mayor their best wishes for a Happy Birthday!

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Mayor Allen reported on the recent Triad Walkable Community Conference held in Greensboro and to the enthusiastic participation by attendees. She also noted an upcoming workshop would provide an opportunity for public input with regard to the Church Street Streetscape.

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The City Manager congratulated incumbents on their re-election to Council and Tom Phillips for his return to Council as an at-large member; he stated that staff looked forward to working with the Council.

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Councilmember Carmany moved that the City Council adjourned to Closed Session at 5:00 p.m. on Tuesday, November 16, 1999, in the Council office, Melvin Municipal Office Building, for the purpose of discussing the City Manager's evaluation. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 8:41 P.M.

CAROLYN S. ALLEN
MAYOR

JUANITA F. COOPER
CITY CLERK
